2 Single Bench

CF/Pool

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR (C.G.)

WRIT PETITION NO. 5291 /2006

UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA

PETITIONER : T.C.Patel, s/o Motichand, aged about 57 years, District Education Officer , Raigarh (under suspension), r/o Village Latesara, Tahsil Sakti, District Janjgir-Champa (C.G.)

P.R. No. 5108/06
Presented by Ramkant Pandey
dated 13/9/06

VERSUS

RESPONDENTS : 1. State of Chhattisgarh , through Secretary, Department of School Education, D. K. S. Bhawan Raipur (C.G.)

2. Under Secretary, Department of School Education, Govt. of Chhattisgarh, D.K.S. Bhawan Raipur (C.G.)

3. District Education Officer (In Charge), District Raigarh (C.G.)

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OATH COMMISSIONER
APARNA MALVIYA
CG 3/96
Bilaspur Chhattisgarh

1. PARTICULARS OF THE PETITIONER

As stated above in the cause title.

(33)

HIGH COURT OF JUDICATURE CHHATTISGARH: BILASPUR

Single Bench: Hon'ble Shri Satish K. Agnihotri, J.

W. P.(S) No. 5221 of 2006

Petitioner : T. C. Patel

Versus

Respondents : State of Chhattisgarh & others

Shri Ramakant Pandey, counsel for the petitioner.

Shri Ajay Dwivedi, Panel Lawyer for the respondents.

ORDER

(3rd October, 2006)

1. The petitioner while working as Incharge District Education Officer, Raigarh was suspended from his service on the ground of pendency of a criminal case at Crime No. 21/2004 for the offences under section 420, 467, 468 and 34 of the Indian Penal Code.

2. Learned counsel for the petitioner submits that during the suspension period the petitioner has not been paid subsistence allowance from October, 2005. On perusal of the papers it is found that the Under Secretary, Government of Chhattisgarh, School Education Department vide order dated 4.7.2006 (Annexure P/4) has directed the District Education Officer, Raigarh to make payment of the subsistence allowance immediately to the petitioner. If the petitioner has any grievance that despite the order of the State Government the District Education Officer, Raigarh has not paid any subsistence allowance.

(34)

3. The respondents/ authorities are accordingly directed to release the subsistence allowance to the petitioner in accordance with law, within a period of 15 days from the date of receipt of a copy of this order.

4. With the above observations this petition is disposed of finally.

Sd/-
Satish K. Agnihotri
Judge

Thakur